23 June 2014

Original: English

Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 16-20 June 2014

Outcome of the Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

1. In the context of the Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, States considered the implementation of the Programme of Action and the International Instrument to Enable States to Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.

2. States also reiterated their grave concern about the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, which have a wide range of humanitarian and socio-economic consequences, including by impeding the provision of humanitarian assistance to victims of armed conflict, and pose a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels.

3. States reaffirmed their respect for and commitment to their obligations under international law and the purposes and principles enshrined in the Charter of the United Nations, as well as those set out in the Programme of Action, including its eighth to eleventh preambular paragraphs.

4. States welcomed the progress that has been made in implementing the Programme of Action and the International Tracing Instrument since their adoption, including on the establishment, strengthening and enforcement of national laws, regulations and administrative procedures to prevent the illicit trade and illegal manufacture of small arms and light weapons, the development of national action plans, the establishment of national points of contact, the submission of voluntary national reports and the strengthening of regional cooperation, as well as progress made in implementing stockpile security, the collection and destruction of illicit

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small arms and light weapons, the marking of small arms and light weapons, technical training and information sharing.

5. Bearing in mind the different situations, capacities and priorities of States and regions, States noted the continuing challenges to the implementation of the Programme of Action and the International Tracing Instrument, including the need for enhanced international cooperation and assistance; and reaffirmed their commitment to the full and effective implementation of the Programme of Action and International Tracing Instrument over the period 2012-2018 in accordance with the implementation measures adopted at the 2012 United Nations Conference to Review Progress Made in the Implementation of the Programme of Action (A/CONF.192/2012/RC/4, Annex I and II) and endorsed by the General Assembly in A/RES/67/58.

I. Consideration of the implementation of the Programme of Action in All Its Aspects at the national, regional and global levels, including stockpile management, including physical security measures of small arms and light weapons

6. States reiterated that proper management of small arms and light weapons stockpiles, in particular in settings of armed violence, transnational organized crime, and conflict and post-conflict situations, is essential to preventing accidents and reducing the risk of diversion to the illicit trade, illegal armed groups, terrorists, and other unauthorized recipients. States noted recent developments in the area of stockpile management and physical security measures, including in relevant United Nations resolutions.

7. States considered the specific requirements for adequate stockpile management, including physical security measures, particularly in conflict and post-conflict situations, as well as the need for international assistance and cooperation in this regard. States noted the efforts of the Security Council to address the issue of illicit small arms and light weapons through the incorporation of stockpile management and other physical security measures in the mandates of United Nations peacekeeping missions.

8. States further noted the importance, where appropriate and in full consultation with relevant stakeholders, of integrating stockpile management measures with wider disarmament, demobilization and reintegration (DDR) and other relevant national programmes, particularly in conflict and post-conflict situations. States also highlighted that adequate stockpile management, including physical security measures, can assist States in fulfilling their international obligations under the Charter of the United Nations.

9. States emphasized that stockpile management, including physical security measures, can benefit from technological advances.

10. States highlighted the need to facilitate participation and representation of women in policymaking, planning and implementation processes related to small arms and light weapons, including in processes related to stockpile management and physical security measures, taking into account General Assembly resolutions on women, disarmament and non-proliferation and arms control (A/RES/65/69 and

subsequent resolutions), as well as United Nations Security Council Resolution 1325 and its follow-up resolutions.

11. States noted that putting in place adequate and proper life-cycle management procedures could reduce stockpile security risks, such as accidental explosions at depots and diversion to illicit trade, illegal armed groups, terrorists, and other unauthorized recipients.

12. States also noted that stockpile management, including physical security measures, could benefit from the voluntary application, in accordance with their national legislation, of standards and guidelines that they consider relevant, as well as from the sharing of lessons learned and good practices relating to the stockpile management and physical security of small arms and light weapons.

13. States also invited Member States and relevant international, regional and subregional organizations with relevant expertise to share experience and research in the area of diversion to illicit trade, illegal armed groups, terrorists, and other unauthorized recipients.

14. States acknowledged the importance of cooperation and assistance, including through regional and subregional organizations and United Nations regional centres for peace and disarmament, on issues such as stockpile management and physical security measures and the destruction or other responsible disposal of surplus stocks or unmarked or inadequately marked small arms and light weapons.

15. States also highlighted the need for cost-effective, environmentally-friendly methods of disposing of small arms and light weapons. In this regard, States noted the importance of the transfer of related technology, upon request and where appropriate.

16. States further recalled that the Programme of Action stipulated that subregional, regional and international programmes for specialist training and expertise on small arms and light weapons stockpile management, including physical security measures, should be developed. In this regard, States were encouraged to share information and build further capacity, including relevant training in this area, and facilitate the provision of such expertise and training, where requested.

The Way Forward

States, bearing in mind the different situations, capacities and priorities of States and regions, undertake the following measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects:

17. To continue to strengthen the implementation of the Programme of Action and in this context to strengthen stockpile management, including physical security measures of small arms and light weapons, in order to prevent the diversion to the illicit trade, illegal armed groups, terrorists, and other unauthorized recipients.

18. To encourage, where possible and in full consultation with relevant stakeholders, the integration of stockpile management measures with wider disarmament, demobilization and reintegration (DDR) and other relevant national programmes, particularly in conflict and post-conflict situations.

19. To take advantage, where feasible, of technological advances to strengthen stockpile management, including physical security measures, noting in this regard the importance of the transfer of related technology, upon request and where appropriate.

20. To promote the role of women in preventing, combating and eradicating the illicit trade in small arms and light weapons, including through access to training, as well as through their meaningful participation and representation in policy-making, planning and implementation processes related to the implementation of the Programme of Action, including stockpile management and physical security measures, and awareness-raising and education.

21. To take steps towards the safe and effective management and physical security of small arms and light weapons stockpiles in accordance with appropriate national standards and procedures, and to take, as appropriate, adequate measures to strengthen life-cycle management procedures.

22. To share, as they consider relevant, at future meetings of the Programme of Action good practices as well as lessons learned on standards and guidelines related to stockpile management, including physical security measures, that they apply in accordance with their national legislation.

23. To strengthen international and regional cooperation and assistance on the implementation of the Programme of Action, including stockpile management and physical security measures, on issues such as the destruction or other responsible disposal of surplus stocks or unmarked or inadequately marked small arms and light weapons, including the fostering of enhanced regional expertise through regional and subregional organizations and training centres.

24. To encourage the use of cost-effective, environmentally-friendly methods of disposing of small arms and light weapons, and to facilitate the transfer of related technology, upon request and where appropriate.

25. To encourage subregional and regional organizations, as well as United Nations regional centres for peace and disarmament, in accordance with their respective mandates, to assist States, upon request, in building relevant national capacities for the effective implementation of the Programme of Action, including stockpile management and physical security measures.

26. To build, where necessary, further capacity on practices relating to stockpile management, including physical security measures, at the national and regional levels, including through the development of training on small arms and light weapons stockpile management and physical security measures, and to provide of such training, upon request and where appropriate.

II. International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

27. States noted the importance of information exchange at the national, subregional, regional and international levels, on a voluntary basis and in accordance with national legislation and administrative procedures, for preventing, combating and eradicating the illicit trade in small arms and light weapons and

preventing diversion to illicit trade, illegal armed groups, terrorists, and other unauthorized recipients, in particular the timely exchange of tracing results as well as other relevant information between competent national authorities.

28. States noted with concern that developments in small arms and light weapons manufacturing, technology and design, including those presented in the Secretary-General's report submitted for consideration at this meeting (A/CONF.192/BMS/2014/1), posed new challenges for effective marking, record-keeping and tracing.

29. States also acknowledged the potential opportunities for enhanced marking, record-keeping and tracing that could result from developments in small arms and lights weapons manufacturing, technology and design, and noted the importance of the transfer of related technology, upon request and where appropriate.

30. States highlighted the contribution that the exchange of tracing information, in accordance with the Programme of Action and the International Tracing Instrument, could make towards preventing the flow of illicit small arms and light weapons in the context of all forms of crime, and in conflict and post-conflict situations, including in the planning and implementation of disarmament, demobilization and reintegration (DDR) and other relevant national programmes, and noted the important role played in this regard by relevant bodies, organs and missions of the United Nations, as well as relevant regional and subregional organizations.

31. States acknowledged the importance of keeping confidential tracing information related to criminal investigations with competent national authorities in order to protect sensitive information, in accordance with national laws and regulations and relevant international obligations.

32. States reaffirmed the need to further strengthen national measures on the marking of small arms and light weapons, including, to the extent possible, marking upon import, in accordance with Article 8(b) of the International Tracing Instrument.

33. States reiterated their commitment to designate, where they have not done so, one or more national points of contact on the International Tracing Instrument, including to facilitate cooperation in tracing in accordance with the provisions of the International Tracing Instrument, and to update this information in their national reports regularly.

34. States highlighted the availability of tools to support the effectiveness, efficiency and speed of information-sharing related to the tracing of illicit small arms and light weapons, including relevant online platforms, such as tools for information exchange provided by INTERPOL.

35. States also highlighted the complementary role that the exchange of ballistics information could play in relation to the tracing of illicit small arms and light weapons in the context of criminal investigations.

The Way Forward

States, bearing in mind the different situations, capacities and priorities of States and regions, undertake the following measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects:

36. To enhance information exchange at the national, regional and international levels, on a voluntary basis and in accordance with national legislation and administrative procedures, particularly the timely exchange of tracing results between competent national authorities, as well as other information relevant to preventing, combating and eradicating the illicit trade in small arms and light weapons and to preventing their diversion to illicit trade, illegal armed groups, terrorists, and other unauthorized recipients.

37. To encourage the United Nations Secretariat to make more readily available public information related to the illicit trade in small arms and light weapons and their diversion to illicit trade, illegal armed groups, terrorists and other unauthorized recipients.

38. To consider utilizing, as appropriate and on a voluntary basis, available tools to support the effectiveness, efficiency and speed of information-sharing related to the tracing of illicit small arms and light weapons and their diversion to the illicit trade, illegal armed groups, terrorists and other unauthorized recipients, including relevant online and other technologies.

39. To further consider developments in small arms and light weapons manufacturing, technology and design and their implications for the full and effective implementation of the International Tracing Instrument, such as practical steps to ensure the continued and enhanced effectiveness of national marking, record-keeping and tracing systems; implications for international assistance and capacity-building, including the transfer, uptake and effective utilization of relevant tools and technology; and possible additional measures to ensure the International Tracing Instrument remains up to date.

40. In this regard, to recommend that the United Nations General Assembly request the Secretary-General to provide through his annual consolidated report on small arms and light weapons, as required, further information relevant to these developments, building upon his initial report (A/CONF.192/BMS/2014/1) and discussions that will occur at the 2015 Open-ended Meeting of Governmental Experts, for consideration of Member States at relevant future meetings of the Programme of Action and the International Tracing Instrument.

41. To encourage, in full consultation with relevant stakeholders, including troop and police contributing countries and host governments, the implementation by United Nations missions, when duly mandated, the provision of support to host governments, upon request, for tracing illicit small arms and light weapons in conflict and post-conflict situations, consistent with the International Tracing Instrument.

42. To encourage, where appropriate and consistent with the International Tracing Instrument, the enhanced exchange of information related to the tracing of illicit small arms and light weapons between relevant United Nations entities, consistent with relevant mandates and competencies, including where relevant to support the planning and implementation of disarmament, demobilization and reintegration (DDR) and other relevant national programmes.

43. To designate, where they have not done so, one or more national points of contact on the International Tracing Instrument, including to facilitate cooperation in tracing in accordance with the provisions of the International Tracing Instrument, and to update this information in their national reports regularly.

44. To consider options for developing a comprehensive international assistance framework to provide resources, training, capacity-building and technical assistance to developing countries, upon request, to support the effective implementation of the International Tracing Instrument.

45. In this regard, to encourage States and relevant international, regional and subregional organizations in a position to do so to provide, upon request, adequate technical and financial assistance, including relevant equipment such as marking machines and training, in order to improve national marking, record keeping, and tracing capacity necessary for the effective implementation of the International Tracing Instrument.

46. To encourage States and international, regional and subregional organizations in a position to do so to provide, upon request, adequate technical and financial assistance to strengthen national capacities for ballistics information collection and exchange.

47. To encourage enhanced linkages, when appropriate, for those States that are parties to them, with the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, and other relevant legally binding instruments with regard to efforts to implement the International Tracing Instrument at the national, regional and global levels.

III. International Cooperation and Assistance for the full and effective implementation of the Programme of Action and the International Tracing Instrument, including:

a) Capacity building, including training;

b) Transfer of technology and equipment

48. States reaffirmed that international cooperation and assistance is an essential aspect in the full and effective implementation of the Programme of Action and the International Tracing Instrument. States highlighted the continued necessity of providing concrete assistance, including technical and financial assistance, and the transfer of technology and equipment, to developing countries upon their request. They also noted the value of further drawing on the expertise available in developing countries in that regard.

49. States also reaffirmed that international cooperation and assistance should be rendered upon request, as appropriate, in line with the needs and priorities of recipient States, and that its adequacy, effectiveness and sustainability should be ensured.

50. States highlighted their grave concern about the devastating consequences of small arms and light weapons on civilians, particularly women and children.

51. States highlighted the need to facilitate participation and representation of women in international cooperation and assistance for the full and effective implementation of the Programme of Action and the International Tracing Instrument, taking into account General Assembly resolutions on women,

disarmament and non-proliferation and arms control (A/RES/65/69 and subsequent resolutions), as well as United Nations Security Council Resolution 1325 and its follow-up resolutions.

52. States identified the need for increased exchanges of expertise, techniques and procedures, including best practices and lessons learned, between relevant authorities. States also highlighted the importance of enhancing cooperation between the United Nations and regional and subregional organizations, including through the United Nations regional centres for peace and disarmament.

53. States recognized the value of addressing the illicit trade in small arms and light weapons across borders, in accordance with the Programme of Action, and the need to promote cooperation on this matter through the appropriate channels, with full respect for each State's sovereignty over its own borders.

54. States acknowledged the usefulness of the online information platform on the Programme of Action and the International Tracing Instrument made available by the United Nations Secretariat.

55. States underlined the need to make maximum use of tools and mechanisms for enhancing international assistance, including technical and financial assistance, required for the full and effective implementation of the Programme of Action and the International Tracing Instrument, inter alia, through the improved matching of needs with available resources, including through forums such as the Group of Interested States in Practical Disarmament Measures.

56. States underlined the importance of reliable and sustained assistance, including through United Nations trust fund arrangements, and encouraged financial contributions by States, as well as relevant regional and subregional organizations, in a position to do so.

57. States encouraged the further development of mechanisms to increase the measurability and effectiveness of international cooperation and assistance.

The Way Forward

States, bearing in mind the different situations, capacities and priorities of States and regions, undertake the following measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects:

58. To urge States and international and regional and subregional organizations in a position to do so to render cooperation and assistance, particularly technical and financial assistance, and the transfer of technology and equipment, ensuring its adequacy, effectiveness and sustainability, upon request of developing countries, in line with the needs and priorities of recipient States in the areas relating to the implementation of the Programme of Action and the International Tracing Instrument.

59. To call on all States and international organizations in a position to do so to provide developing countries with the requisite training and capacity building, upon request, for the effective implementation of the Programme of Action and the International Tracing Instrument.

60. To explore options and ways to establish relevant arrangements, where appropriate and mutually agreed, for the provision of training and expertise on small arms and light weapons stockpile management, including physical security measures, cognizant of the different multilateral settings in which such cooperation and assistance are pursued in accordance with the Programme of Action and the International Tracing Instrument.

61. To urge States in a position to do so to provide developing countries, upon request, with critical equipment essential to the effective implementation of the Programme of Action and the International Tracing Instrument.

62. To take into account, in line with national priorities, the agreed outcomes of Programme of Action conferences and meetings in all activities, including those voluntarily funded, that support the implementation of the Programme of Action, including research and training.

63. To make further efforts to use national reports as a tool to identify, prioritize and communicate assistance needs; to formulate concrete project proposals with measurable goals as part of relevant national action plans and on the basis of an objective and detailed assessment of needs; and to mobilize necessary resources, with assistance from international, regional and subregional organizations.

64. To develop assistance proposals in coordination with relevant regional and subregional organizations, as appropriate.

65. To encourage States and international organizations to avoid duplication in providing or requesting assistance through, inter alia, exploring regional and subregional partnerships, and drawing upon regional and subregional expertise and technical capabilities.

66. To enhance the exchange of knowledge, expertise and lessons learned at the global, regional, subregional and national levels including through North-South, South-South, and triangular cooperation, and through international and regional and subregional organizations.

67. To encourage States to cooperate in preventing and reducing the devastating consequences of the illicit trade in small arms and light weapons on children.

68. To take full advantage of the benefits of cooperation with the United Nations regional centres for peace and disarmament, the World Customs Organization, the International Criminal Police Organization (INTERPOL) and the United Nations Office on Drugs and Crime, in accordance with their mandates and consistent with national priorities, for ensuring the full and effective implementation of the Programme of Action and the International Tracing Instrument.

69. To request the Secretariat to present, for consideration at the 2015 Open-ended Meeting of Governmental Experts, options for the enhanced funding of activities relating to the implementation of the Programme of Action and the International Tracing Instrument, including trust fund arrangements; and for the establishment of programmes for the training of relevant officials, nominated by their respective governments, in areas related to the implementation of the Programme of Action and the International Tracing Instrument.

70. To request the Secretariat to a) carry out a comprehensive study on the adequacy, effectiveness and sustainability of financial and technical assistance,

including the transfer of technology and equipment particularly to developing countries since 2001, for the full implementation of the Programme of Action, and to submit this study for discussion at the Open-ended Meeting of Governmental Experts in 2015 and consideration at the Sixth Biennial Meeting of States (2016); b) to continue to collaborate with relevant research and training institutions, in particular enhancing engagement with those from developing countries, on activities addressing the illicit trade small arms and light weapons, including on the sharing, where relevant, of rosters of experts including experts from developing countries; c) and to include among the globally available web-based resources it provides, relevant information, such as studies, publications and other resources related to the implementation of the Programme of Action and the International Tracing Instrument.

IV. Follow-up to the Second Review Conference

Schedule of meetings 2014-2018

71. States referred to the General Assembly's decision, pursuant to the schedule of meetings for the period from 2012 to 2018 agreed at the Second Review Conference, to convene, in accordance with the relevant provision of the Programme of Action, a one-week biennial meeting of States, in New York in 2014 and 2016, a one-week open-ended meeting of governmental experts in 2015, to consider the full and effective implementation of the Programme of Action and to hold the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in 2018 for a period of two weeks, preceded by a one-week preparatory committee meeting early in 2018.

72. States recommended that the Open-ended Meeting of Governmental Experts in 2015 consider:

(i) The implications of recent developments in small arms and light weapons manufacturing, technology and design for effective marking, record-keeping and tracing;

(ii) Practical steps to ensure the continued and enhanced effectiveness of national marking, record-keeping and tracing systems in the light of such developments, including ways to support the transfer, uptake and effective utilization of relevant tools and technologies;

(iii) The transfer of technology and equipment, as well as capacity-building, in particular training, for the full and effective implementation of the Programme of Action and the International Tracing Instrument.

73. States noted the critical importance of international cooperation and assistance, including capacity building, to furthering the implementation of the Programme of Action and the International Tracing Instrument, and reaffirmed that this topic should continue to be an integral element of the agenda of all Programme of Action meetings.

74. States reaffirmed the importance of the early designation of the Chair of future Programme of Action meetings.

Regional meetings

75. States noted the important role of regional and subregional organizations in many parts of the world in raising awareness, building capacity, and promoting cooperation and assistance to support States, upon request, to implement the Programme of Action and the International Tracing Instrument, and encouraged measures to further enhance the effective role that regional and subregional organizations can play in supporting the implementation of the Programme of Action and the International Tracing Instrument in accordance with their respective mandates.

76. States encouraged interested States and subregional, regional and international organizations in a position to do so to convene regional meetings in preparation for, and/or to follow up on, meetings on the Programme of Action and the International Tracing Instrument.

77. States noted the consideration, where relevant, of aligning the timing of regional meetings regarding illicit small arms and light weapons with the global cycle of meetings so as to ensure, as appropriate, a maximum of synergies between actions taken at the national, regional and global levels.

Engagement of civil society

78. States acknowledged the important role that relevant civil society organizations, including non-governmental organizations, play in supporting the implementation of the Programme of Action and the International Tracing Instrument, including in raising awareness, providing assistance and sharing experience and research, and encouraged them to engage, as appropriate, in all aspects of international, regional, subregional and national efforts towards such implementation, without prejudice to national security and in accordance with national laws.

79. States encouraged engagement with industry, as appropriate, to support the effective implementation of the Programme of Action and the International Tracing Instrument and to ensure the process remains fully informed of relevant technical developments.

National reporting

80. States reaffirmed the utility of synchronizing voluntary national reporting with regard to the Programme of Action, and national reporting on the International Tracing Instrument, with biennial meetings of States and review conferences as a means to increase the submission rate and improve the utility of reports, as well as to contribute substantively to meeting discussions.

81. States observed the need to increase the utility of reporting, in particular by using national reports to identify implementation trends and challenges and to enhance the matching of assistance needs with available resources.

Support for meeting participation

82. States encouraged those States in a position to do so, with a view to promoting wider and more equitable participation of States in Programme of Action meetings, to provide financial assistance, where appropriate, through a voluntary sponsorship fund, to enable States that are otherwise unable to do so to participate in meetings of the Programme of Action, in particular meetings of governmental experts and review conferences.

V. Other issues

83. During the discussion of agenda item xx, without prejudice to the views of other States, some States indicated that, in their view, certain issues were important for the implementation of the Programme of Action. On these issues, other delegations expressed a different opinion. These issues included:

- Direct State control over small arms and light weapons transfers, including brokering;
- Unlicensed manufacturing of small arms and light weapons;
- Re-export of small arms and light weapons produced under foreign licence; and
- Linkages between the Programme of Action and the Arms Trade Treaty.